

# Study Committee on Adoption

*Wednesday, January 14, 2015 10:00 A.M. to 12:00 P.M.*

*Indiana State Library, History Reference Room*

**Members present:** Gregg Ellis, Guardian ad Litem/Child Advocates, Marion County; Judge Dana Kenworthy, Grant Superior Court 2; Tamara Wilson, DCS Legal; Judge Steven Galvin, Monroe Juvenile Court; Sharon Pierce/Acting Chair, Villages; Zachary Kester, adoptive father and adoption attorney; Karen Sauer, adoptive mother.

**Guests present:** Lindsey Craig, Parvonay Stover, Angel Owens.

**Commission staff present:** Lindsey Craig, Governor's Office Family Policy Director; Parvonay Stover, DCS Legislative Director.

## **I. Welcome:**

Sharon Pierce greets audience.

## **II. Approval of Minutes from November 19, 2014 Meeting**

Sharon Pierce entertains motion to approve previous minutes. Motion made to approve minutes, passes committee vote, and meeting minutes of November 19, 2014 approved.

## **III. Personal Adoption Experience-Mike Allen, Adoptive Father**

Introductions made by committee. Mr. Allen presented his perspective on an international adoption experience and why they chose that avenue. When they were looking to adopt, they couldn't qualify to adopt through domestic agencies, so they went to counties around them to get on a list to be chosen for adoption (1984/85). Faced a lot of resistance at that time. Informed by more than one person that they could not adopt bi-racial or African American children. Felt it was too much trouble at that time to adopt from the system (bureaucracy). Found the China program to be very well-run and predictable. What they indicated would happen was what actually happened. He is very encouraged that Indiana is stepping up in the adoption front. Feels like this is about providing for kids in need. Anything that can be done to make it easier to pursue adoption would be wonderful. Commends committee. Offers his assistance in that regard. Things should be streamlined to make process easier.

Questions: Tamara Wilson asks when their first and last child were adopted? Answer: First child adopted in 1986 and the last two were adopted in 2013. Further questions if he and his wife had ever considered adopting a child out of foster care? Answer: Early on could not seem to get anywhere and they felt like all answers from State were no. They began looking at other avenues. Once they started with international adoption, they got

very comfortable with that process. Did not go back to looking at domestic adoptions. Suggests that when parents are told “this is going to happen”, things indeed happen that way. He feels that would help families feel more favorable about adopting from system.

**IV. Update on November Adoption Events/Court Activities and Potential Adoption Advocacy Council-Lindsey Craig, Office of the Governor**

Lindsey Craig recalls events that occurred in November for National Adoption Month. Governor Pence hosted 2<sup>nd</sup> annual adoption event at statehouse in November. Chief Justice, Loretta Rush, emailed Lindsey a list of what courts across the state had done. Lindsey recapped that information.

Judge Kenworthy shares success story/adoption gift from first child who was adopted under her watch.

Lindsey updates committee on idea of permanent adoption council. She has spoken to Chief Justice Rush about how we can continue the momentum after committee has concluded. Chief Justice Rush suggested to Lindsey that after this committee is finished, someone present the findings of the Adoption Study Committee to the Commission on Improving the Status of Children. She is open to the Commission having that put on their agenda.

**V. Update on Follow-up Question from 11/19 Meeting – Brian Carnes, State Registrar**

*Process of how a record is changed in another state and gets to Indiana or how Indiana changes the record:* Discusses differences in in-state born vs. out-of-state born children. When a child is born in Indiana it is a simplistic process. Courts send an order to change birth certificate, Indiana State Department of Health (ISDH) changes, and then seals the original. Parents can then request the changed certificate at any time. Process becomes more complicated when it is an out-of-state adoption. If the child is adopted in Indiana, ISDH sends court order to state in which child was born. Indiana does not own that original birth certificate. The letter sent with that information requests that other state modify their original birth certificate. They do not have to change and may or may not respond. If we do not hear back, assumption is that they have changed their record. If we do hear back from them it is usually that they are not willing to change their record. In that case in Indiana issues a delayed registration of birth. It is a document that can be used (not as good), to prove identity. If other state does change the birth certificate, parents can go to that other state to obtain it. Indiana does get copy for our records, but we cannot issue that birth certificate – Parents must go to that particular state to obtain that document. In foreign adoptions ISDH rarely hears back from that foreign country. If we do not hear back, by law we must wait 90 days. Same process exists as if it were another state. ISDH sends family back to that country to obtain the birth certificate.

Question and answer session.

## **VI. Collaborative Care Transition and Potential Barriers – Heather Kestian, DCS**

Introduces herself as the Collaborative Care Field Director for DCS and explains collaborative care in general. They work to develop supports and support systems for youth aging out of care. What they try to do is to ease the transition into adulthood.

*Previous question: What benefits might a young person not be able to use or gain if they were adopted after the age of sixteen or if they were to go into a guardianship?*

When children are adopted or in permanent guardianship they are able to access the following services (if they were adopted at the age of 16 or older and in foster care for at least 6 months). Heather discussed each of the following services and explained the differences.

- **Emancipation goods and services**- Money up to \$1000, used for one time services (luggage, assistance for paying for test fees, household items, etc.) Funds cannot be used for medical expenses, cell phones, car purchases, car repairs, home purchases, etc.
- **Voluntary independent living services**
- **Voluntary case management services**
- **Driver's License**- at discretion of adoptive parent or guardian
- **Education and Training Voucher**

Adopted children (or those in permanent guardianships) cannot access:

- **Room and board funds** - To access these funds, child must be in foster care at the time of their eighteenth birthday.

Extensive question and answer session.

**\*\*Collaborative Care policies located in Chap. 11 (for reference).**

## **VII. Update on Eligibility and Distribution of State Adoption Subsidy-Tamara Wilson, Committee Member, Department of Child Services**

Discusses status of state adoption subsidy project. As of last week, we have been able to place over 850 adoption assistance agreements into pay status. Currently there is a team of attorneys supporting central eligibility unit who are negotiating subsidies. DCS has determined over 130 families who are no longer eligible for SAS. There are over 200 families who haven't responded to us where we are not sure if the child is still with the family, or continues to be eligible for subsidy, etc. We are in process of investigating those. DCS investigators are assisting with those we cannot locate.

Hearing positive comments from families who have been through the process. Families are grateful.

Question and answer session.

\*\*Negotiations for Adoption Assistance located in Chapter 10 (for reference).

**VIII. Update on Faith-Based Partnerships in Kansas, Judge Dana Kenworthy, Committee Member**

Judge Kenworthy has reached out to Lucy Bloom, of Kansas, but has not yet had response from her. She is currently working with a Judge in Kansas who is trying to assist her in finding the right person to talk to.

Zac Kester offers that he has learned that Arkansas has faith-based. He can reach out.

**IX. 2015 DCS Legislative Proposals Impacting Adoption-Parvonay Stover, Department of Child Services**

- DCS has requested \$11M a year to fund state adoption subsidy.
- Senate Bill 324 – Legislative proposal in one of our child support bills that impacts adoption - Topic is Notification of Adoption Finalization in IV-D cases. Currently prosecutors are not being notified once adoption orders are finalized on a child who is the subject of a IV-D case. If a current child support order is not being paid, by non-custodial parent, arrearages can continue to accumulate even after the adoption has been finalized. Non-custodial parent who is not paying can continue to get court sanctions. Notice of whether there is an existing child support order, it will allow prosecutors to close out that particular case and let them focus on those open cases that actually need attention.

Lindsay informs committee that there is another bill that would impact adoptions. Brian Carnes gives brief update. This bill is not an agency bill, but was introduced by Senator Delph and Senator Steele. This bill would modify procedure to move all pre-1994 adoptees into the post-1994 laws and rules. It would mirror what is happening currently.

No questions.

**X. Committee Discussion on Topics for Next Meeting:**

- Best Practices – Dave Thomas Foundation
- Faith-Based

- Barriers

**XI. Future Commission Meeting Dates**

- **March 11, 2015 – 10:00 a.m. to 12:00 p.m. – State Library**
- May 13, 2015 – 10:00 a.m. to 12:00 p.m.
- June 10, 2015 – 10:00 a.m. to 12:00 p.m.